

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

v.

MARIO A. HUBBARD

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CR 121-038

O R D E R

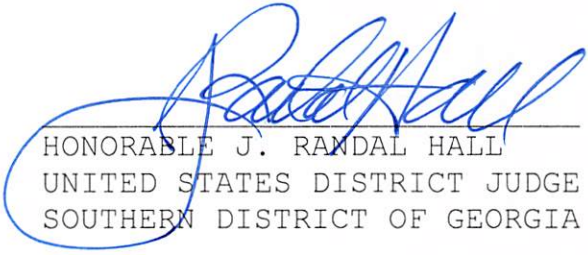
Defendant Mario A. Hubbard has filed a motion to reduce sentence based upon Amendment 821 to the United States Sentencing Guidelines. A federal court may modify a sentence if the defendant's sentencing range has been subsequently lowered by the Sentencing Commission, after consideration of the factors set forth in 18 U.S.C. § 3553(a). 18 U.S.C. § 3582(c)(2).

Amendment 821 (Part A) provides a retroactive adjustment for certain offenders whose criminal history was impacted by "status points" under U.S.S.G. § 4A1.1. Defendant did not receive any status points. Amendment 821 (Part B) provides a retroactive decrease in offense level for certain "zero point" offenders. Defendant was not a zero point offender; rather he had three criminal history points.

Because Amendment 821 has no effect on Defendant's guideline range, his total offense level remains 33 and his criminal history category remains II. His guideline range thus remains 151 to 188

months. For this reason, Defendant's motion to reduce his sentence based upon Amendment 821 (doc. 27) is **DENIED**.

ORDER ENTERED at Augusta, Georgia this 17th day of March, 2025.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA